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SUBJECT: PANDO MASSACRE DISPUTED; HINTS OF PREFECT'S RELEASE

Classified By: EcoPol Chief Mike Hammer for reasons 1.4 (b)(d)

11. (C) Summary: Congresswoman Ana Lucia Reis (Movement Toward Socialism, Pando) told PolOff October 5 that President Evo Morales told government-aligned lawmakers he may have to free Pando Prefect (governor) Leopoldo Fernandez. Reis also disputed the government's characterization of the September 11 Pando "massacre," insisting that it was instead a violent stand-off between pro-government and opposition forces. Although both sides share blame for abuses, Reis contends pro-government forces intent on attacking Cobija, drew first blood. Reis also alleged that Brazilian police turned three plainclothes Venezuelan soldiers for spying on Pandinos in Brazil over to Bolivian military custody. Reis blamed Presidency Minister Juan Ramon Quintana for the September 11 violence and subsequent imposition of martial law. The government announced October 6 a permanent increase in the federal presence in Pando. This should be seen for what it is: a politically-motivated permanent militarization of a formally opposition-controlled department. End Summary.

Government May Release Pando Prefect  
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12. (C) Congresswoman Ana Lucia Reis (strictly protect) told PolOff October 5 that Morales surprised assembled congressmen by conceding that "we may have to let (Opposition Prefect Leopoldo) Fernandez go free." During a closed-door meeting with ruling Movement-Toward-Socialism (MAS) party congressmen October 1, Reis said Morales assured the government would do "everything in our power" to convict Fernandez of crimes stemming from a September 11 battle between government and opposition supporters, but that "our prosecutors are having a difficult task to put together a case" based on genocide, treason, or terrorism charges. In a saddened tone, Morales told the congressmen that the government might not be "legally" able to hold Fernandez on lesser charges. He added the government had three months to develop a case against Fernandez before martial law in lifted in Pando. Morales allegedly told the crowd, "We are a government that respects the law." (Note: Opposition Senator Roger Pinto told PolOff September 30 that one of the prosecutors involved told him the team is indeed having difficulties making the case and that many members feel misled by initial testimony now deemed false, pressured by Presidency Minister Juan Ramon Quintana, and reluctant to participate in establishing trumped up

charges that may be used as a blueprint against opposition leaders. End Note.)

13. (C) Reis told PolOff that despite government spin to the contrary, Morales does not really care about the legality of the case against Fernandez. In fact, she asserted Morales was still livid with Fernandez for emphatically rejecting Morales' offer to join the MAS in 2005. However, Reis asserted Morales is being pressured by Brazil and Chile on the case. "If he brings up invalid charges, they will notice." Reis said increased international scrutiny of the Pando case was a side effect of international observation of opposition-government September negotiations. Reis, however, discounted entirely the neutrality of the Unasur human rights delegation sent the first week of October to investigate the Pando violence. "They flew in at eight (AM) and left at six (PM). They just listened to government people who are paid by the government. It was not serious; how could it be?" Reis claimed no independent body has yet to enter Pando to challenge the official government version of events.

#### Venezuelan Pando Connection?

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14. (C) Reis said she had no information regarding public charges that five Venezuela bodies were smuggled out of Pando following the September 11 violence, but contends that Brazilian police acquaintances told her they turned three Venezuelans back to Bolivia for allegedly spying on opposition-aligned Pandinos in Brazilian border towns. According to Reis, the three were Venezuelan military in

plain cloths operating on behalf of the Ministry of the Presidency and elements of the Bolivian military. She said the Brazilian police released the three into Bolivian military custody at the border and warned them not to attempt future surveillance. (Note: A September 25 news brief in leading daily La Razon identifies three "supposed Bolivian spies" turned over to Bolivian military custody by Brazilian police, but fails to identify their nationality. End Note.)

#### Pandinos Safe in Brazil

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15. (C) Reis said Bolivian Government requests that Pandinos in Brazil be returned to Bolivian authorities to face crimes "will never result in anything." She contended that although some Brazilian national leaders may be sympathetic to Morales, they could not force the issue with local authorities in neighboring Brazilian states that are sympathetic to opposition-aligned visitors from "the other side of the river." Reis was more concerned about the same opposition-aligned expatriates living temporarily in Brazil returning to Pando "in three months (when martial law is lifted), looking for revenge."

#### Discounting Pando "Massacre"

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16. (C) Reis continues to reject the government version of a September 11 "massacre," instead insisting that pro-government forces initiated the violence with the cold-blooded murder of two unarmed prefect employees. What followed, according to Reis, was a series of battles around the city of Porvenir that included abuses on both sides. "Don't get me wrong, Fernandez is no angel and his people committed abuses, but he was not responsible for this." Reis said although Fernandez is "very corrupt," he also genuinely cares about Pando and would "never plot to kill Pandinos."

#### Quintana in Charge

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17. (C) Reis, rather, blamed Presidency Minister Quintana for "stuffing Pando and Riberalta (in Beni department) with money to finance (pro-government) forces." She confirmed opposition accounts that the "peaceful campesinos" (small farmers) were in fact meeting to organize an armed assault on

Cobija. Reis characterized the Pando airport takeover and subsequent establishment of martial law as a "Quintana operation," at least partially designed to conceal evidence that might implicate him in the violence and establish the government's version of events "while keeping the media out."

¶8. (C) Reis claimed during the September 12 airport takeover, Quintana pointed at Senator Paulo Bravo (PODEMOS) in a crowd of opposition protesters and shouted, "You're next!" Reis claimed (and opposition contacts confirm) that due to Quintana's threats both Bravo (PODEMOS) and Lower House Representative Ronald Camargo (PODEMOS) are sleeping in Brazil and only selectively spending time in Pando. The next day, at a meeting designed to establish the ground rules for martial law, Quintana told locals "every property that used to belong to the state, will be returned to the state." Reis said this was a veiled threat to opposition Senator Jose Villavicencio (UN), who bought a state-owned hotel "many years ago for almost nothing." Reis said Quintana appeared to relish his role as de-facto ruler of Pando and seemed to be plotting to turn Pando "into his personal experiment." She asserted that Quintana was overstepping and out of line based on Morales' October 1 remarks.

#### Pando Conflict Largely a Beni Invasion

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¶9. (C) Reis emphasized the majority of campesino combatants were imported from neighboring Beni Department because "they didn't have enough people to do anything in Pando." Reis maintains that "Pando is a very small place" (75,000 inhabitants) and that she has not recognized any of the witnesses used on government propaganda. "These people are not from Pando." Reis maintains that Pandinos are peaceful and the September 11 conflict was imposed upon them from "outside" by "Venezuelan money."

#### Stage Set for Increased Federal Presence Post-Martial Law

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¶10. (C) Defense Minister Walker San Miguel set the stage for an increased military and police presence in Pando after the state of siege legally expires December 12. He said two new military posts would be set up in Porvenir and the MAS stronghold of Filadelfia, an existing post in Bolpebra would be reinforced, and the Cobija Navy Base would be renovated and upgraded. San Miguel added that the central government would also bolster federal forest, tax, and customs agencies in Pando. He characterized the stepped-up federal presence as "long overdue" following "decades or even centuries" of federal neglect that has resulted in narcotics and contraband fueled "out of control" lawlessness in the border department. San Miguel notably did not justify the increased military presence based on the September 11 violence or possibility of resurgent opposition "terrorism."

#### Pando Asylum Update

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¶11. (U) In other Pando news October 6, Opposition Congressmen Ronald Camargo announced Pando's Civic Committee President and Vice President, Ana Melena and Ricardo Shimokawa, received political asylum in Brazil. Camargo said Brazil granted the status largely out of concerns that plainclothes armed "agents" were threatening them. Separately, Walter Zelaya, a Pando Department advisor and the husband of Policewoman Mirtha Sosa, announced from Brazil that his family was requesting asylum based on the government's detention and abuse of his wife. Sosa remains in La Paz under accusations of failing to comply with martial law in Pando.

#### Comment:

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¶12. (C) Reis' characterization of post-martial law Pando as Quintana's "experiment" is supported by the announcement of a

permanent increase in the federal presence there. This is no temporary state of siege; the government is consolidating its position in Pando to make sure it will never backslide into opposition control again.

¶13. (C) Reis is stuck between a rock and hard place. Although she was personally recruited by Morales and remembers him fondly "before he became corrupted by power," her alliance is to her constituents, whom she feels are being used in a national-level political power play, targeted as the weakest link of opposition-controlled departments. Likewise, she feels personally used and deceived by the MAS, trapped in a party that more closely resembles a mafia. So far, Reis has managed to keep her hotel business out of the fray, which she attributes to the good relationship she has with Fernandez and other opposition leaders. But for centrists like Reis, it is getting harder and harder to maintain their neutrality. End Comment.  
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